

NS:APW/DGR  
F. #2020R00601

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

KIMY GENTIL,  
also known as "Ghostz Dagod,"  
and

[REDACTED]  
[REDACTED]

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

JAMES GRZELAK, being duly sworn, deposes and states that he is a Task Force Officer with the Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

On or about June 10, 2020, within the Eastern District of New York, the defendants KIMY GENTIL, also known as "Ghostz Dagod," and [REDACTED] [REDACTED] with intent to cause death and serious bodily harm, did knowingly and intentionally take a motor vehicle that had been transported, shipped and received in interstate and foreign commerce from the person and presence of another, to wit: John Doe, an individual whose identity is known to the affiant, by force and violence and by intimidation, and attempt to do so.

(Title 18, United States Code, Sections 2119, 2119(1))

TO BE FILED UNDER SEAL

AFFIDAVIT IN SUPPORT  
OF AN APPLICATION FOR  
AN ARREST WARRANT

No. 20-MJ-794

(T. 18, U.S.C., §§ 1951(a), 2119, 2219(1))

On or about June 10, 2020, within the Eastern District of New York, the defendants KIMY GENTIL, also known as “Ghostz Dagod,” and [REDACTED] [REDACTED] together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by the robbery of a livery cab from John Doe in Brooklyn, New York..

(Title 18, United States Code, Sections 1951(a))

The source of your deponent’s information and the grounds for his belief are as follows:<sup>1</sup>

1. I am a Task Force Officer with the Department of Homeland Security, Homeland Security Investigations (“HSI”) Violent Gang Task Force and have been involved in the investigation of numerous cases involving gangs and violent crimes, including carjacking and robbery. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including surveillance videos; and from reports of other law enforcement officers involved in the investigation.

2. Based on my participation in the investigation to date, including my review of reports, I am aware that on June 10, 2020, at approximately 6:58 p.m., in the vicinity 1037 East 43rd Street in Brooklyn, John Doe, a livery cab driver, was robbed inside of John Doe’s livery cab (the “June 10, 2020 Robbery”). Based on my review of reports, discussions with other law enforcement officers and my review of video footage captured by

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<sup>1</sup> Because this affidavit is being submitted for the limited purpose of establishing probable cause to arrest, I have not set forth every fact learned during the course of this investigation.

cameras inside of John Doe's livery cab during the robbery, I am aware of the following in sum, substance and in part, concerning the June 10, 2020 Robbery:

a. John Doe worked for a livery cab service (the "Cab Service"), which entity's name is known to your affiant.<sup>2</sup> The Cab Service was contacted to pick up a passenger at East 43rd Street and Avenue I in Brooklyn.

b. At approximately 6:58 p.m., John Doe, who was driving his livery cab, a Toyota Highlander (the "Highlander"),<sup>3</sup> picked up two black males at East 43rd Street and Avenue I in Brooklyn.

c. Perpetrator-1 sat in the front passenger seat of the Highlander and Perpetrator-2 sat in the rear passenger seat behind John Doe.

d. Perpetrator-1 was wearing black sweatpants and a distinctive sweatshirt with the letter "Z." Perpetrator-2 was wearing gray sweatpants, a maroon jacket, and sneakers that were white on the bottom half of the sneaker and darker on the top half of the sneaker.

e. Perpetrator-2 placed John Doe in a chokehold and placed what appeared to be a gun to John Doe's head while Perpetrator-1 demanded money from John Doe. John Doe struggled with the two males, and during the struggle the perpetrators repeatedly hit and choked John Doe.

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<sup>2</sup> Based on my training, experience and participation in the investigation to date, I am aware that the Car Service provided service to out-of-state customers.

<sup>3</sup> Based on my training, experience and participation in the investigation to date, including my discussions with a New York City Police Department ("NYPD") automobile expert, I am aware that the Highlander was manufactured outside the state of New York.

f. At some point during the struggle, John Doe was able to exit the vehicle, and the two perpetrators drove away in the Highlander.

g. Approximately a minute later, the Highlander crashed into two other vehicles.

3. As a result of the incident, John Doe sustained a large laceration to his head and fractures to his face.

4. Based on my review of surveillance footage taken in the vicinity of the June 10, 2020 Robbery, I am aware that the Highlander drove away from the scene of the incident, and then crashed into two other cars at a nearby intersection. On that footage, Perpetrator-1 and Perpetrator-2 are seen running away from the Highlander after the crash.

5. I have reviewed surveillance footage of the two perpetrators fleeing the scene of the above-described vehicle collision and being chased by the police into nearby backyards. On these videos, the perpetrator in dark sweatpants is carrying a dark sweatshirt and wearing a white t-shirt; the perpetrator in gray sweatpants and two-toned sneakers is not wearing any clothes on the upper half of his body.

6. I have reviewed surveillance video from a gas station located near the scene of the June 10, 2020 Robbery. Based on my review of that footage, I am aware of the following in sum, substance, and in part:

a. Minutes after the June 10, 2020 Robbery, an individual wearing gray sweatpants and two-toned sneakers, which were consistent with the sweatpants and sneakers worn by Perpetrator-2 during the robbery, ran into the gas station, wearing a black sweatshirt with a distinctive letter "Z" on the front. That sweatshirt is consistent with the sweatshirt worn by Perpetrator-1 during the robbery.

b. This individual was pacing around the gas station and repeatedly peering out of the front door of the gas station.

c. While inside the store, a clear image of the individual's face was captured by the surveillance camera.

7. Based on my training, experience and participation in the investigation to date, including my review of the surveillance footage detailed above, I believe that Perpetrator-2 took the Letter Z sweatshirt from Perpetrator-1 as they fled from the scene of the June 10, 2020 Robbery, and that Perpetrator-2 is the individual inside of the gas station.

8. Additionally, based on my review of the surveillance video from the gas station and my comparison of the images from the surveillance footage to law enforcement booking photographs of [REDACTED], I recognize [REDACTED] to be the person depicted in the surveillance video. Based on my review of all the evidence described above, including the surveillance footage from inside the gas station, I believe [REDACTED] was Perpetrator-2 in the June 10, 2020 Robbery.

9. Based on my participation in the investigation to date, I am aware that after the approximate time of the June 10, 2020 Robbery, law enforcement officers responded to the scene of the auto collision, and recovered a cellular telephone from the rear floor under the driver's seat of the Highlander (the "Seized Cellular Telephone"). The Seized Cellular Telephone was subsequently searched pursuant to judicially authorized search warrants.

10. Based on my review of information recovered from the Seized Cellular Telephone, I am aware that information saved to the device revealed that it was used by KIMMY GENTIL. For example, I am aware that the Seized Cellular Telephone contained,

among other things, numerous photographs of an individual I recognize to be KIMY GENTIL, a photograph of a New York State identification card in the name of “Kimy Gentil,” and emails with email addresses including the names “GKimy” and “Kimygentil”

11. I am further aware that the Seized Cellular Telephone also contained information relevant to the June 10, 2020 Robbery.

a. On June 10, 2020, around the time of the robbery, the Seized Cellular Telephone received a message from the Car Service stating “your car has arrived.” As stated above, the Car Service is the business for which John Doe was working at the time of the June 10, 2020 Robbery.

b. Later on June 10, 2020, into the early morning of June 11, 2020, on Kimy Gentil’s Facebook page, Gentil sent messages to another individual stating “I lost my phoneeee,” “Baby I not tryna get lock baby,” and “Shit got crazyyy.” Based on my training and experience, I believe that in these messages, the phrase “get lock” was used a slang term for getting arrested.

c. Saved to the Seized Cellular Telephone were multiple photographs of KIMY GENTIL wearing a sweatshirt with a Letter Z on the front, which is consistent with the sweatshirt worn by Perpetrator-1 during the June 10, 2020 Robbery.

#### REQUEST FOR SEALING

12. It is respectfully requested that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the application and arrest warrants, as disclosure would give the targets of the investigation an opportunity to change patterns of behavior and flee from or evade prosecution and therefore

have a significant and negative impact on the continuing investigation that may severely jeopardize its effectiveness.

WHEREFORE, your deponent respectfully requests arrest warrants for the defendant KIMY GENTIL, also known as "Ghostz Dagod," and [REDACTED] [REDACTED] so that they may be dealt with according to law.

  
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JAMES GRZELAK  
Task Force Officer  
Department of Homeland Security, Homeland  
Security Investigations

Sworn to before me by telephone this  
10\_\_ day of September, 2020

  
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THE HONORABLE CHERYL L. POLLAK  
CHIEF UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK